

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

LYONS PARTNERSHIP, L.P.; HIT
ENTERTAINMENT, INC.; GULLANE
(DELAWARE) LLC; and THOMAS
LICENSING, LLC,

Plaintiffs,

v.

GREAT AMERICAN MASQUERADE, GAG,
GIFT & GADGET SHOP, INC. D/B/A
ABRACADABRA, PAUL BLUM, ALLEN
DALTON PRODUCTIONS, LLC, ALLEN
DALTON, CARRIE FEINER ENTERPRISES,
LLC, CARRIE FEINER, CROSS COUNTY
CHILDRENS ENTERTAINMENT, INC.
D/B/A KID-O-ROBICS, BRUCE K.
MOGAVERO, AND VINCENT REVERDY
D/B/A CONNECTED EVENT CREATION,

Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER

07 CIV 7112

TO: (Name and address of Defendant)

Paul Blum
~~19 W. 21st St.~~ 42 Ridge Road, East Rutherford NJ 07070
~~New York, NY 10010~~

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Toby M. J. Butterfield, Esq.
Matthew A. Kaplan, Esq.
COWAN, DeBAETS, ABRAHAMS & SHEPPARD LLP
41 Madison Avenue, 34th Floor
New York, New York 10010

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

AUG 09 2007

CLERK

Manos Quintero

DATE

(By) DEPUTY CLERK

PROOF OF SERVICE

SERVED	DATE 9/4/07 1:35 P.M.	PLACE 42 RIDGE ROAD RUTHERFORD, NJ 07070
SERVED ON PAUL BLUM	MANNER OF SERVICE HAND DELIVERED	
SERVED BY JUSTIN APGAR	TITLE CPS	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on: 5 SEPTEMBER 2007

Signature of

310 CINDY STREET

Address of server

OLD BRIDGE, NJ

Rule 45, Fed.R.Civ.P., Parts (c) &(d) made application in cases under the Bankruptcy Code by Rule9016, Fed.R.Bankr.

(c) Protection of Persons subject to

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(a) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(b) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an official of a party from significant expense resulting from the inspection and copying commanded.

(3)(a) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

- (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause(c)(3)(b)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

applies, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver

(iv) subjects a person to undue burden.

(B) If a Subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party.

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and ass that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) Duties in Responding To Subpoena

(1) A person responding to a subpoena to produce documents shall produce them as they are in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is written on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.